

Attorney Docket Number: FSP0033
Client Reference Number: AWS 854.US
Title: INTEGRATION OF WIRELESS AND EXTERNAL COMPUTING DEVICES
Application Number: 10/662,639

-6-

REMARKS

In an office action mailed on 09/23/2005, claims 1-4 and 6 are rejected under 35 USC 102(e) as anticipated by Cruickshank, US 6,888,927; claim 5 is rejected as unpatentable over Cuickshank in view of Gerszberg, US 6,385,319.

Claims 1,7, and 14 recite, *inter alia*, locating contact information for the caller in a contact database of either the external computing device or of a network to which the external computing device belongs, using at least one of a name and phone number of the caller (see claim 1, which is exemplary of the others). Cruickshank, col. 8, lines 20-38 recites, *inter alia*, a wireless communication device such as a mobile telephone connected over a wireless network, that includes or is connected to a display device so that graphical notification information may be received by the terminal device and graphically displayed on the display device. Thus, Cruickshank, col. 8, lines 20-38 teaches merely conveying pixels representing the caller number and name from a wireless terminal to an external display, which is something else entirely than locating contact information for the caller in a contact database of either the external computing device or of a network to which the external computing device belongs, using at least one of a name and phone number of the caller. Nothing in Cruickshank indicates that the external device, if used at all, is anything more than a dumb display device.

The following table provides a summary of at least some of the distinctions between claims 1,7, and 14 and Cruickshank.

Claims 1,7, and 14	Cruickshank, col. 8, lines 20-38
<u>locating contact information for the caller in a contact database of either the external computing device or of a network to which the external computing device belongs,</u>	merely conveying pixels representing the caller number and name from a wireless terminal to an external display

Attorney Docket Number: FSP0033
 Client Reference Number: AWS 854.US
 Title: INTEGRATION OF WIRELESS AND EXTERNAL COMPUTING DEVICES
 Application Number: 10/662,639

-7-

using at least one of a name and phone number of the caller	
---	--

Claims 2, 9, 16 recite, inter alia, that if the contact information for the caller is not located, the external computing device creates a new contact record for the caller in the contact database (see claim 2, which is exemplary of the others). The Office Action cites Cruickshank, col. 7, lines 48-52 as teaching the claimed aspect(s). Cruickshank, col. 7, lines 48-52 recites, inter alia, that when a message from the source is recorded for the addressee, the graphical notification system 10 retrieves graphical information associated with the source so as to form a graphical notification identifying the source. To this end, graphical notification system 10 generates an information signal relating the stored message to at least one graphical image associated with the source of the stored message. Thus, Cruickshank, col. 7, lines 48-52 teaches merely teaches the creation of a call log record, which is something else entirely than creating a new contact record for the caller if the contact information for the caller is not located.

A contact record for a caller is not the same thing as a call log record; see the present specification for an understanding of what constitutes a contact record. A contact record for a caller generally includes information about the caller, not any particular call. Many call log records may be created for calls to or from a particular contact; a contact record for the caller exists independently of these call log records.

The following table provides a summary of at least some of the distinctions between claims 2, 9, 16 and Cruickshank, col. 7, lines 48-52.

Claims 2, 9, 16	Cruickshank, col. 7, lines 48-52
if the contact information for the caller is not located, <u>the external computing device creating a new contact record</u> for the caller in the contact database, the new contact	teaches the <u>creation of a call log record</u> , not <u>a new contact record for the caller</u>

Attorney Docket Number: FSP0033
 Client Reference Number: AWS 854.US
 Title: INTEGRATION OF WIRELESS AND EXTERNAL COMPUTING DEVICES
 Application Number: 10/662,639

-8-

record associating the name and phone number of the caller	
if the contact information for the caller is not located, <u>the external computing device creating a new contact record</u> for the caller in the contact database, the new contact record associating the name and phone number of the caller	teaches the creation of a call log record <u>by the terminal device</u> , not creation of a new contact record for the caller <u>by an external computing device</u>

Claims 3, 10, and 17 recite, *inter alia*, the external computing device receiving photo information for the caller from the wireless device, and including the photo information in the new contact record for the caller (see claim 3, which is exemplary of the others). The Office Action cites Cruickshank, col. 7 as teaching the claimed aspect(s). However, Cruickshank merely teaches that a call log record may relate the source of the call with digital photo information. There is no teaching or suggestion in Cruickshank of the wireless device providing photo information to an external computing device for inclusion in a new contact record for the caller.

The following table provides a summary of at least some of the distinctions between claims 3, 10, and 17 and Cruickshank.

Claims 3, 10, and 17	Cruickshank, e.g. col. 7
the external computing device receiving photo information for the caller from the wireless device, and including the photo information in the new contact record for the caller	teaches that a call log record may relate the source of the call with digital photo information

Attorney Docket Number: FSP0033
Client Reference Number: AWS 854.US
Title: INTEGRATION OF WIRELESS AND EXTERNAL COMPUTING DEVICES
Application Number: 10/662,639

-9-

Claims 4, 11, 18 recite, *inter alia*, the external device communicating contact information to the wireless device as one of an SMS, EMS, and MMS message (see claim 4, which is exemplary of the others). The Office Action cites Cruickshank, col. 7, lines 56-66 as teaching the claimed aspect(s). Cruickshank, col. 7, lines 56-66 recites, *inter alia*, that a communication between caller and called parties may include media types such as a cell phone transmission, a pager message, a fax communication, an audio/video communication such as a video conference call over a data network, a voice call over IP, or an electronic mail (email) transmission (of arbitrary media, e.g. voice, graphics, video, text or combinations thereof). Thus, Cruickshank, col. 7, lines 56-66 merely teaches different types of communications between caller and called parties, not the manner in which contact information may be communicated to the wireless device from an external device that locates the contact information, and certainly not that the external device communicates contact information to the wireless device as one of an SMS, EMS, and MMS message. Cruickshank col. 7 lines 56-66 is not discussing the manner of communicating the contact information from an external device to the wireless device at all; it refers instead to the types of calls that may be established between the caller and the called parties.

The Office Action cites Cruickshank, Abstract ("message") as teaching the claimed aspect(s). Cruickshank, Abstract recites, *inter alia* that in general terms, a communications device of the addressee is presented with the graphical notification in the form of an information signal which relates the stored message to at least one graphical image associated with the source of the stored message. Thus, Cruickshank, Abstract ("message") amounts to a mere general statement that the graphical indication of the caller is provided as an "information signal". The mere mention in Cruickshank that a graphical notification of the caller is conveyed as an "information signal" is hardly sufficient to anticipate the use of SMS, EMS, and/or MMS to convey contact information to a terminal wireless device from an external computing device. As the Office is no doubt aware, there is no basis in patent law for the assertion that a mere recitation of a

Attorney Docket Number: FSP0033
Client Reference Number: AWS 854.US
Title: INTEGRATION OF WIRELESS AND EXTERNAL COMPUTING DEVICES
Application Number: 10/662,639

-10-

genus will anticipate every specific species of that genus. Instead, the Office must cite references that teach the specific species of the claims, or else must demonstrate that the species is unambiguously inherent in the genus.

The following table provides a summary of at least some of the distinctions between claims 4, 11, 18 and Cruickshank.

Claims 4, 11, 18	Cruickshank, col. 7, lines 56-66
the external device communicating contact information to the wireless device as one of an SMS, EMS, and MMS message	Merely recites <u>types of calls between the parties</u> , not how contact information may be communicated to the wireless device from an external device that locates the contact information
Claims 4, 11, 18	Cruickshank, Abstract ("message")
the external device communicating contact information to the wireless device as one of an SMS, EMS, and MMS message	amounts to a mere general statement that the graphical indication of the caller is provided as an "information signal"

Claims 5, 12, and 19 recite, *inter alia*, dragging the contact information from a GUI for the contact manager logic, and dropping the contact information into a GUI for wireless device interface logic (see claim 5, which is exemplary of the others). The Office Action cites Gerszerg, col. 9, lines 20-25 as teaching the claimed aspect(s). Gerszerg, col. 9, lines 20-25 recites, *inter alia*, use of a caller identification tool 216 to drag and drop a caller identification dependency icon 225 at the text 232. Thus, Gerszerg, col. 9, lines 20-25 teaches associating particular information with calls from particular parties under

Attorney Docket Number: FSP0033
Client Reference Number: AWS 854.US
Title: INTEGRATION OF WIRELESS AND EXTERNAL COMPUTING DEVICES
Application Number: 10/662,639

-11-

particular circumstances. Neither reference teaches dragging contact information from contact manager logic and the dropping the contact information into wireless device interface logic.

Conclusion

The claims are distinct over the cited references for at least the reasons provided above. Please allow all claims.

Signature /Charles A. Mirho/ Date: 12/24/2005
Charles A. Mirho
Reg. 41,199
Attorney for Applicant

Address all correspondence to:
FSP LLC
Attn: Charles A Mirho
P.O. Box 890
Vancouver, WA 98666
USA

Phone: 360-737-1748
Fax: 360-294-6426